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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

EPIC GAMES, INC.,

Plaintiffs,

v.

APPLE, INC.,

Defendant.

Case No. 4:20-cv-05640-YGR

**ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES
SHOULD BE RELATED PURSUANT
TO CIVIL L.R. 3-12**

[Declaration and [Proposed] Order filed
herewith]

JUDGE: Hon. Yvonne Gonzalez Rogers
CTRM: 1-4th Floor

THIS DOCUMENT RELATES TO:

*Korean Publishers Association, et al., v. Apple,
Inc.*, No. 4:25-cv-4438-HSG

TO: THE COURT AND ALL OTHER PARTIES OF RECORD

PLEASE TAKE NOTICE that Plaintiffs Korean Publishers Association, Korea Electronic Publishing Association, Dan Scalise, PangSky Co., Ltd., and the putative class in the above-entitled action (“Plaintiffs”) hereby move this Court to consider whether the following actions filed in the United States District Court, Northern District of California should be related:

<u>Case Name</u>	<u>Case No.</u>	<u>Filing Date</u>
<i>Epic Games, Inc. v. Apple Inc.</i>	4:20-cv-5640	08/13/2020
<i>Korean Publishers Association, et al., v. Apple, Inc.</i>	4:25-cv-4438	05/23/2025

The above-listed actions involve the same transactions and events and the same legal issues. It is therefore likely that there would be “unduly burdensome duplication of labor and expense” or conflicting results if the cases are conducted before different Judges. *See* Civil L.R. 3-12(a)(1) & (2). Relating the two cases and placing them under the supervision of one judge is likely to save the Court and the parties significant costs and may facilitate and expedite the resolution of the cases.

MEMORANDUM AND POINTS OF AUTHORITIES**I. THE TWO ACTIONS SHOULD BE RELATED**

Pursuant to Civil L.R. 3-12(a), actions are related when: “(1) [t]he actions concern substantially the same parties, property, transaction or event; and (2) [i]t appears likely that there will be an unduly burdensome duplication of labor and expense or conflicting results if the cases are conducted before different Judges.” Here, these criteria are met.

Both of the above-listed actions allege violations of Section 2 of the Sherman, 15 U.S.C. § 2, and California’s Unfair Competition Law (Cal. Bus. & Prof. Code §§ 17200, *et seq.*) (“UCL”). Moreover, both of the above-listed actions are brought by app developers against Apple Inc. (“Apple” or “Defendant”). Both concern Apple’s anticompetitive efforts to maintain supra competitive commissions that it charges for transactions within its App Store.

Plaintiffs in *Korean Publishers Association* heavily rely on evidence from the *Epic v. Apple* evidentiary hearings and both injunctions brought against Apple by this Court. It is therefore likely that there will be “unduly burdensome duplication of labor and expense” or conflicting results if the cases are litigated before different Judges. *See* Civil L.R. 3-12(a)(1) & (2). Relating the two cases and

placing them under the supervision of one judge will very likely save the Court and the parties significant costs and may facilitate and expedite the cases.

II. CONCLUSION

For all of the reasons stated above, Plaintiffs hereby request that the Court in the lowest numbered case, *Epic Games, Inc. v. Apple Inc.*, enter an Order relating the two cases listed above to each other and reassigning the *Korean Publishers Association* action to Judge Yvonne Gonzalez Rogers.

DATED: May 30, 2025

Respectfully submitted,

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